

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, April 17, 2003

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, April 17, 2003, at 3:00 p.m., at Police Headquarters, 1300 Beaubien – Rm. 328-A, Detroit, MI 48226.

ATTENDANCE

Board Members Present

Megan Norris
Willie E. Hampton
Arthur Blackwell, II **(ABS)**
Erminia Ramirez
Edgar L. Vann, Jr.

Department Personnel Present

Chief Jerry Oliver, Sr.
AC Walter E. Shoulders
AC Timothy Black
DC Gary Brown
Insp. Jamie Field
Insp. Pat McCarthy
Insp. Scott Kohls
Sgt. Kenneth Williams
Sgt. Debbie Jackson
Sgt. David Jones
Sgt. Mike Lemons
Sgt. Ron Harper
Sgt. Mike Lemons
Sgt. Bennett
Sgt. Dale Greenleaf
PO Eric Jarmon
PO Irvette Reed
PO Kelvin Davis
Civ. 3rd DC Tara Dunlap
Atty. Nancy Ninowski

Board Staff Present

Dante' L. Goss, Executive Director
Denise R. Hooks, Attorney/Supv. Investigator **(ABS)**
Arnold Sheard, Interim Chief Investigator
Elie Sassine, Civilian Investigator
E. Lynise Bryant-Weekes, Personnel Director

RECORDERS

Jerome Adams
Felicia Hardaway
Kellie Williams

OTHERS PRESENT

Ms. Walters
Ron Scott
Rick Jones
Phillip Craccioholio
WWJ 950
Channel 7 (WXYZ)
Damon Nunn
Daniel Snipes

1. CALL TO ORDER

Chairperson Norris called the regular meeting of the Detroit Board of Police Commissioners to order at 3:20 p.m.

2. APPROVAL OF MINUTES

MOTION: Commissioner Norris made the motion to approve the Minutes of Thursday, April 10, 2003.

SECOND: Commissioner Hampton seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

Oath of Office

Chairperson Norris swore in Damon L. Nunn and announced that he is a new Civilian Investigator that will be working at the Office of the Chief Investigator.

4. SECRETARY REPORT – EX. DIR. GOSS

Office Closing

The Board of Police Commissioners office and the Office of the Chief Investigator office will be closed on Friday, April 18, 2003 at 12:00 p.m., in observance of Good Friday. Regular office hours will resume on Monday, April 21, 2003.

CITIZEN COMPLAINTS RECEIVED

For the Week Ending: April 17, 2003

	<u>This Week</u>	<u>Year to Date</u>
Weekly Count of Complaints:	21	303
Weekly Count of Allegations:	31	523
Arrest	1	25
Demeanor	10	167
Entry	1	6
Force	1	38
Harassment	1	23
Procedure	11	167
Property	2	29
Search	0	23
Service	4	45

Pending Cases

As of March 26, 2003, the Office of the Chief Investigator has a total of **303** pending cases, which include **155** cases with an age of 0-45 days and **43** cases with an age of 46-60 days.

2002

During the past week: 12 Year to Date: 297

5. CHIEF'S REPORT

DETROIT POLICE DEPARTMENT **MIND'N OUR BUSINESS**

Board of Police Commissioners

The Detroit Police Department's mission is building a safer Detroit through community partnerships. Therefore, the following enforcement actions were conducted during the week of April 9th-15th, 2003:

ORGANIZED CRIME AND GANG DIVISION

The Conspiracy Intelligence, Gang Enforcement, North-West, and Vice Sections conducted four enforcement actions that resulted in (9) misdemeanor and (6) felony arrests, there were also (17) miscellaneous ordinances. These enforcement actions resulted in the confiscation of 717 grams of cocaine, 4 grams of heroin, 898.5 grams of marijuana and 8,083 pills with a total street value of \$378,424.00. \$11,676.00 in U.S. currency, 11 vehicles and 4 handguns were confiscated from these enforcement actions.

NINTH PRECINCT

On April 13, 2003, officers of the Ninth Precinct received a radio run, "RA in the 14800 block of Lappin." Upon arrival, the officers spoke with the female complainant who stated while walking home at E. 7 Mile Road at Queen, an unknown armed male robbed her of her money and groceries. The officers canvassed the area and observed a subject matching the description. Upon further investigation, the officers recovered the missing groceries, and the subject was subsequently arrested and conveyed to the Ninth Precinct without incident.

GANG ENFORCEMENT SECTION

During the month of May 2002, a 15 year-old female was abducted from the eastside of Detroit. She stated she was taken to a house on the westside of Detroit and held for a week. In addition, she was forced to travel to different states, and forced to sell drugs. The complainant escaped the ordeal while in Washington, D.C. Gang Squad members were apprised of this situation during March 2003. As a result of their investigation, on April 14, 2003, two subjects were arrested for "Kidnapping."

Chief of Police Jerry A. Oliver, Sr.

Chairperson Norris asked Chief Oliver if he could speak on the topic that was in the newspaper.

Chief Oliver stated there has been some discussion about whether or not there will be a monitor for the Detroit Police Department through some agreement that we have with the Department of Justice (DOJ). At this point, we are not at a point in our negotiations with DOJ that the subject of a monitor has come up. Nor have we talked about what the final agreement would look like, whether it would be a consent decree, a MOA or something less than that. I think the reason why there has been a discussion is because in most cases where there have been an agreement between the City and the DOJ. A monitor has been employed to oversee the efforts of that Department to come into conformity with DOJ requests and I think that is why that has come up.

I do not have a monitor appointed, there is no conversation with DOJ about a monitor and we have not even reached the area of our discussion where we are speaking to what the agreement would really look like and what type of vehicle we would have.

Chairperson Norris stated my understanding is that even if DOJ were to decide not to go the decree consent route, it would go something lesser. Then in all likelihood they would have some sort of oversight person assigned to that.

Chief Oliver stated yes, I think traditionally or at least when you look back at most of the cases, there are some oversight mechanism and it sort of manifests itself as a monitor of some sort.

Chairperson Norris asked the Chief to pass a request to the Mayor's Office. As it gets to the point that some decision is being reached that is going to effect the Department, we would not like to read about that in the paper when that happens and to be involved. If there is going to be an oversight person, they would obviously have to have a relationship with us because that is part of what we do to. We will not be in negotiations, but to be involved in the understanding of what is going on.

Chief Oliver stated we will certainly do that. Although the police department were the subject of the investigation, the negotiations that are being done with the Law Department from lawyer to lawyer in terms of the Law Department and the lawyers in the DOJ and we have just been sort of a resource of provided information.

Chairperson Norris stated that is my understanding. It is not inappropriate that we have not been in the room, given that that's the nature of what's going on. It is just that at the point that a decision is reached that is going to affect oversight of the Department, we want to make sure that we all understand our roles.

Chief Oliver stated understood.

6. PRESENTATION – NARCOTICS ENFORCEMENT ACTIVITIES

AC Tim Black introduced Insp. McCarthy from the Conspiracy Intelligence Section, Sgt. David Jones from Planning and Analysis and Sgt. Mike Lemons from the Training Unit.

(See Attachment)

Comm. Vann asked is the war on drugs over? Is there as much emphasizes on the drug problem as there used to be or have there been other priority that have eclipsed?

Insp. McCarthy stated no, I think the war on drugs continues everyday. Sgt. Lemons from our training unit goes out into the community, precincts and schools to provide communication to the citizens about drugs.

Comm. Vann stated it has been three or four years that we have last heard about it. He asked are you still doing a large number of raids per week or per day?

Insp. McCarthy stated absolutely.

Comm. Vann asked how do these statistics that you have shown us today, compare to previous years?

Insp. McCarthy stated the first set of raids I showed you are from last year; they are pretty much on the same level. The times we change how we are doing depends on what is going on in different areas.

Comm. Vann asked how often do change your approach and strategies as the trends in the drug industry change? What types of trends are going on right now on the streets?

Insp. McCarthy stated there has been an increase heroin, marijuana and meth labs coming into the City.

Comm. Vann asked is there an aggressive posture from this Department being felt in the streets? Is there a real passion on aggression out there? Do the people involved really know that someone is coming after them or is it business as usual?

Insp. McCarthy stated they know that we are coming after them.

Comm. Vann asked how do respond to the community thinking that you could put an end to drug dealers, drug sells and drug usage?

Insp. McCarthy stated if we could stop it we would.

Chief Oliver stated if we were to suspend the Constitution for about two weeks, we could clean up the drug problem.

Insp. McCarthy stated usually if we find out someone is selling drugs out of their home, we could forfeit their house.

Vice Chairperson Hampton asked does the house, cars and money that you seize go into your budget?

Insp. McCarthy stated it goes into the forfeiture fund.

Vice Chairperson Hampton stated you stated that the Western Wayne County Narcotics Office and one from Detroit and the Department here pays for those

Insp. McCarthy stated just ours.

Chairperson Norris stated just ours and the base salary.

Insp. McCarthy stated the State pays the officers' overtime and they supply equipment to them.

Chairperson Norris stated they give us access to resources that we would not have access to.

Insp. McCarthy stated that is correct.

Comm. Vann asked what about the property room?

Insp. McCarthy stated our officers confiscate narcotics and take it down to prisoner processing and put it on evidence. The next day, prisoner processing takes it down to the property office and that is the last time we see the evidence.

Chairperson Norris stated so your office is not involved beyond turning it in?

Insp. McCarthy stated that is correct.

Comm. Vann stated we are still talking about narcotics here.

Insp. McCarthy stated once it is confiscated at the scene, a supervisor counts the money in front of the person and they are given a receipt.

Chairperson Norris asked is an officer ever left alone with the narcotics or the money?

Insp. McCarthy stated no.

Comm. Vann asked have we modified or reformed our system of accountability in the property room?

Chief Oliver asked DC Brown to address the issue.

DC Brown stated my office did conduct the audit of the property room. The

money room and the drug room are the only two that are in the best shape. They are not in the same shape they were several years ago. Narcotics do play a large role in this. Once the case is closed, they have to dispose of that property.

Chief Oliver stated we have just recently had a gun burn. We had two mega-dump trucks of long weapons that were destroyed.

Vice Chairperson Hampton asked would you suggest to citizens that have made complaints regarding drug activity and nothing has been done to help them?

Insp. McCarthy stated they should ask for a supervisor and we will address those problems.

Chairperson Norris stated sometimes the situation is that the call has been received and it is being addressed, but they are not busting right away. She asked are we still sending out postcards after we raid the house?

Chief Oliver stated yes.

7. DISCIPLINARY APPEALS ARGUED– APPEALS SUBCOMMITTEE

Comm. Vann chaired the Appeals Subcommittee:

DISCIPLINARY APPEALS ARGUED

August 1, 2002

Police Officer Eugene Brown
Badge 714

BPC 00-012D

Charges

I. Neglect of Duty, one specification;
and II. Unjustified or Careless Use of
Firearms, one specification.

Trial Board Decision

Guilty of both charges.

Two (2) days suspension.

Recommendation

Uphold the Trial Board decision in its entirety.

MOTION: Commissioner Vann made the motion to approve the Recommendation.

SECOND: Commissioner Hampton seconded the motion.

VOTE: All in attendance voted in the affirmative.

Appeals Argued April 3, 2003

Police Officer Charles E. Dudley
Badge 4256

BPC 02-006D

Charges

Two disciplinary cases:

Two charges of Willful Disobedience of Rules or Orders, four specifications.

Trial Board Decision

Acceptance of guilty plea. Ten (10) days suspension, with five (5) of those days held in abeyance for one year.

Recommendation

Reduce the penalty to seven (7) days, with two (2) of those days held in abeyance for one year.

MOTION: Commissioner Vann made the motion to approve the Recommendation.

SECOND: Commissioner Hampton seconded the motion.

VOTE: All in attendance voted in the affirmative.

Police Officer James Dubois
Badge 3962

BPC 02-008D

Charges

Neglect of Duty, four specifications.

Trial Board Decision

Not guilty of Specifications 1 and 2;
acceptance of guilty plea to
Specifications 3 and 4.

Four (4) days suspension.

Recommendation

Reduce penalty to a one (1) day
suspension.

MOTION: Commissioner Vann made the motion to approve the
Recommendation.

SECOND: Commissioner Hampton seconded the motion.

VOTE: All in attendance voted in the affirmative.

8. OTHER BUSINESS

Chairperson Norris made the following announcements:

- The Fourth Precinct Community Relations Counsel is holding a meeting on Tuesday, April 22, 2003, at 7:00 p.m. – 9:00 p.m. at the South Rademacher Recreation Center located at 6501 W. South Street. It is being presided over by our own Comm. Erminia Ramirez. There will be a number of presenters from the Department and the Office of the Chief Investigator.
- There will be a Public Safety Career Fair that is sponsored by our Department and it is for people who want to be candidates for the Detroit Police Department, other law enforcement agencies or public safety agencies. If you have any questions you can speak to Dir. Bryant-Weekes after the meeting.
- The Hiring in the Spirit of Service Program is recruiting community members for focus groups to help define the community service police officer. You need to respond to the Personnel Bureau by April 25, 2003. . If you have any questions you can speak to Dir. Bryant-Weekes after the meeting.

9. ORAL COMMUNICATION FROM THE AUDIENCE

Imani Williams stated she is with the Ruth Ellis Center we are located on Woodward and Six Mile. I work specifically with lesbian, gay, bi-attractional and transgender, who are between the ages of 13 and 24 years old. I am here today to voice a concern in regards to some of my outreach workers work in the Palmer Park area and I just want to make sure that you all know that we are there. Last summer, my staff was harassed by officers, who thought they were participating in gay/lesbian activities.

Chairperson Norris stated I was not aware of your specific organization. I did have communications with Jeff Montgomery from the Triangle Association regarding some of the events last summer. I think that those concerns have been addressed and if not, we will look at those concerns again.

Chief Oliver asked does your staff wear identification?

Ms. Williams stated yes, they have Ruth Ellis Center badges that display their names and title.

Chief Oliver asked if an officer came in contact with them, we could we expect them to be doing what in the park?

Ms. Williams stated talking with young people and letting them know there is a safe space for them on Woodward.

Chief Oliver stated we are developing enforcement plans this year that will allow us to be a lot more reactive, visible and responsive to the needs in the park.

Comm. Vann stated that is very important in all the parks.

Ms. Walters stated I don't feel the urgency in our community about what is happening in our community. She voiced her concerns, about things we could prevent if our passion is really for the good of these children.

10. ANNOUNCEMENT OF NEXT MEETING

Thursday, April 24, 2003 @ 3:00 p.m.
Police Headquarters – Rm. 328-A
1300 Beaubien
Detroit, Michigan 48226

11. ADJOURNMENT

Meeting was adjourned at 4:15 p.m.

Respectfully Submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/kdw

Vice Chairperson Head stated the following Standing Committees will be Chaired and Co-Chaired by the following Commissioners:

Citizens Complaints

Disciplinary Appeals

Promotional Appeals

Budget

Legal Affairs

Labor Relations

Personnel & Training

Vice Chairperson Head stated the Special Committees will be Ad Hoc. They are Residency, Building & Construction, Standardization of Discipline and the Labor Negotiations will be assigned as needed.